IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 193 OF 2007

Shri Ajit Khanderao Deshpande] .. Petitioner

Versus

The Thane City Municipal Corporation] .. Respondent

Ms. Deepti B. Mistry i/b A.L. Kumar for the petitioner.

Mr. R.S. Apte for the respondent.

CORAM: S.B. MHASE, &
R.S. MOHITE, JJ.

DATED: 26TH APRIL, 2007

P.C. :

. Heard.

2. The petitioner is the Member of a Cooperative Housing Society. The grievance is that some of the Members of the Cooperative Housing Society has unauthorizedly carried out construction and, therefore, petitioner has approached this Court seeking an appropriate direction to the respondent-Municipal Corporation to take action.

3. In fact, the appropriate remedy for the petitioner is to file an appropriate Suit against the

Society and its Members with the Cooperative Court under Section 91 of the Maharashtra Cooperative Societies Act. We refrain to entertain the Petition and the Petition is accordingly rejected.

Sd/-
[R.S. MOHITE, J.]

Sd/-
[S.B. MHASE, J.]